UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1996/460
21 June 1996

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL PURSUANT TO RESOLUTION 1035 (1995)

I. INTRODUCTION

1. The present progress report, submitted pursuant to Security Council resolution 1035 (1995) of 21 December 1995, summarizes the activities of the United Nations Mission in Bosnia and Herzegovina (UNMIBH) since my last report of 29 March 1996 (S/1996/210).

II. ACTIVATION OF THE MISSION

2. The measures outlined in my previous report, initiated with the arrival in theatre of my Special Representative in February, brought the mission to operational level in late April 1996. By that time, the three International Police Task Force (IPTF) Regional Headquarters and Civil Affairs offices were fully functional, with deployment at the district level well advanced (see map). Supporting IPTF and Civil Affairs is the Public Information Office, which has established three field offices, in Banja Luka, Mostar and Tuzla, in addition to the main Press Office in Sarajevo.

3. My Special Representative in Bosnia and Herzegovina has maintained his efforts to strengthen coordination with the heads of other international bodies associated with the implementation of the Peace Agreement, especially the High Representative, the Commander of the multinational implementation force (IFOR), the Special Envoy of the United Nations High Commissioner for Refugees and the Head of the Organization for Security and Cooperation in Europe (OSCE) Mission. He participates in the meetings of the Peace Implementation Council and the Contact Group convened to maintain the momentum of the peace implementation process and to focus on specific aspects of that process. The team of United Nations military liaison officers, headed by Brig. Gen. Hagrup Haukland (Norway), has developed close contacts with IFOR, at both headquarters and regional levels.

4. Periodic meetings are convened by my Special Representative to coordinate the activities of the agencies and programmes, funds and offices of the United

Nations system, namely the World Bank, the United Nations Educational, Scientific and Cultural Organization (UNESCO), the World Health Organization (WHO), the United Nations Development Programme (UNDP), the Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations Children's Fund (UNICEF) and the World Food Programme (WFP). He also provides support and assistance, as requested, to the International Tribunal for the former Yugoslavia and to the Special Rapporteur and the expert in charge of the special process on missing persons of the Commission on Human Rights.

5. A broad base of contacts has been established by my Special Representative at the political level with the Governments of Bosnia and Herzegovina, the Federation of Bosnia and Herzegovina and the Republika Srpska, as well as with the leadership of the main political parties.

6. As mentioned in paragraph 13 of my report to the Council on the activities of the Office of the Special Coordinator for Sarajevo (UNSCS) (S/1996/381), the management of the Trust Fund for the restoration of essential services to Sarajevo has been transferred to my Special Representative. In addition to the management of ongoing projects, the residual UNSCS unit handling the day-to-day management of the Fund will in future focus on the financing of quick-impact projects. As a result of the continuing needs of the citizens of Sarajevo, and the improved conditions for the rehabilitation of the city, the UNSCS residual unit has numerous projects awaiting emergency funding. There thus remains a need for further contributions to the Fund.

III. INTERNATIONAL POLICE TASK FORCE

7. As of 20 June 1996, a total of 1,562 IPTF monitors from 32 countries were deployed in 44 of the 50 operational stations planned for the mission area. The initial problem with the deployment of unqualified police monitors has been partly alleviated by the dispatch of selection assistance teams to countries offering large numbers of monitors, in order to ensure that the required standards are met before the monitors travel to the mission area.

8. The widespread deployment of monitors throughout the country means that IPTF is able to perform its tasks effectively. Many of its operational areas extend to both sides of the Inter-Entity Boundary Line (IEBL). IPTF monitors are now able to establish close working relationships with local police and to interact with the local population. This has provided access to more information about the situation on the ground and to an improved assessment and response to incidents and developing situations.

9. A principal preoccupation of IPTF remains the difficulty of establishing freedom of movement for the civilian population. Difficulties persist even after unauthorized check-points, which are a major obstruction to freedom of movement, have been eliminated by IFOR and IPTF. Problems are encountered mainly along the IEBL, and also, within the Federation, between areas controlled by the Government and those controlled by Bosnian Croats, as well as in several Croat pockets. Since it is largely the Serb and the Croat authorities who oppose freedom of movement, those affected are mainly the Bosniacs. Obstruction

of visits by displaced persons to their homes of origin has resulted in violence and loss of life in a number of instances.

10. There has nevertheless been some improvement in freedom of movement. Increasingly, individuals and families are able to cross the IEBL into the Republika Srpska for visits without harassment. However, there have been problems when vehicles with licence plates from one entity have been driven into areas of another. The authorities on both sides have agreed in principle to measures to resolve this issue and efforts are under way to implement them.

11. In fulfilling its mandated tasks, IPTF works in close cooperation with the staff concerned in the Office of the High Representative, IFOR, UNHCR and other international agencies. IPTF participates in a Freedom of Movement Working Group formed by the Office of the High Representative to discuss impediments to free movement and how best to resolve them. It is also active in the working groups of the Human Rights Coordination Centre on issues such as property, legal aid and detention.

12. IPTF, in close coordination with the United Nations Centre for Human Rights, has conducted a human rights and humanitarian law training programme for its police monitors. An eight-day "training of trainers" course run by the Centre has enabled IPTF to conduct its own five-day human rights courses for monitors in each of the regions. This has increased the Force's effectiveness in monitoring the human rights situation and in its efforts to improve respect for human rights by local police personnel.

13. On detention issues, IPTF is in the process of establishing a database which will allow tracking of detained persons from the moment of arrest through to trial. Legal Officers will periodically review this information with a view to identifying trends in the judicial process. Follow-up with the relevant authorities will be initiated as necessary.

14. A major responsibility undertaken by IPTF is to assist the Parties in planning the reduction, restructuring and training of their police forces. On 26 April 1996, agreement was reached on a timetable for the reorganization of the Federation police and on 30 May, the IPTF Commissioner, Mr. Peter FitzGerald, issued formal guidance on its restructuring. This guidance provides for a reduction in uniformed police in the Federation from over 20,000 to a maximum of 11,500. A parallel reduction is still under discussion with the Republika Srpska authorities. Both the Federation and the Republika Srpska have agreed to adhere to an IPTF statement of internationally accepted principles for policing in a democratic State, related operational standards of policing and a new code of conduct for police officers. In this regard, I would like to pay tribute to those Member States who have contributed experts without cost to assist in the restructuring of the Bosnian police forces.

IV. CIVIL AFFAIRS

15. Civil Affairs offices are co-located with IPTF throughout Bosnia and Herzegovina. This has resulted in economies in shared infrastructure, communications and logistics. It has also allowed Civil Affairs Officers to work closely with their IPTF colleagues at the operational level and to develop contacts with local authorities and leaders in as many locations as possible.

16. Civil Affairs is now engaged in three main tasks: supporting IPTF; reporting on and assessing political and human rights development; and good offices to promote confidence between the entities and to resolve problems between the parties. In addition, Civil Affairs Officers work in close coordination with the Office of the High Representative and with other international organizations, especially UNHCR, IFOR and OSCE. They provide these organizations with information and assessments related to key areas of implementation, especially on political trends affecting such issues as freedom of movement, respect for human rights and repatriation of refugees and displaced persons.

17. Using its political expertise, Civil Affairs has continued to facilitate coordination on Federation issues with concerned organizations. It has been assisting and regularly briefing the International Mediator, Dr. Schwarz-Schilling, and the International Arbitrator, Mr. Roberts Owen, on the situation in general and on the specific issues to be addressed by them within the framework of their respective mandates in Bosnia and Herzegovina.

V. MINE ACTION CENTRE

18. The United Nations Mine Action Centre was officially opened in Sarajevo on 20 May 1996. On 1 June, programme control of the Centre was transferred from the Department of Peace-keeping Operations to the Department of Humanitarian Affairs. Programmes and priorities are being set in consultation with representatives of the Federation and the Republika Srpska in the Mine Clearance Policy Group, established in Brussels on 16 February 1996.

19. A training school, established at a former wartime training facility at Brus, is being used for the training of operational teams to work with the regional offices of the Centre in both entities and for the centralized training of mine-detection dogs and their handlers. The first training course, consisting of four teams, graduated in early June. These teams, which were recruited from within the Republika Srpska, will deploy to Banja Luka, where regional headquarters will be established by mid-June. Two regional offices are planned for Tuzla and Mostar. It is hoped that the Mine Action Centre and the training school can be used by personnel from both entities, though confidence-building measures may be required to realize this hope.

20. The database of mine information maintained by IFOR will be transferred to the Centre by 31 July 1996. However, the aim of the United Nations is to transfer full de-mining responsibilities to the Bosnian authorities as early as feasible. The Government of Bosnia and Herzegovina has now formally set up its own Agency for Protection from Mines but has still to provide premises where the

agency and the Mine Action Centre can be co-located. In the interim, the agency will function from the Centre's temporary headquarters. It is envisaged that once it is legally established by a duly elected Government and an effective organization and adequately trained personnel are available, the agency will take over the tasks of the Centre. To that end, programmes will be developed in close cooperation with the technical director of the agency and, wherever possible, contracts with foreign companies will be on the basis of joint ventures to enable managerial and technical capabilities to be developed on the Bosnian side.

21. There are still many difficulties to be overcome before the Mine Action Centre programme can pick up speed and capacity-building measures can have a significant impact. While Bosnian personnel with mine-clearing ability are available, training will concentrate on detection with advanced equipment, so that the clearance is effective. Delays have been caused by the acknowledged slow response of the bureaucracy, despite the pressing need and increasing pressure for action to enable the reconstruction process to start immediately. Currently mine-clearance activity has been largely confined to limited operations by the military forces of the parties, which have been assisted by the provision by the European Union of detection and safety equipment with a value of ECU 600,000.

VI. OTHER ACTIVITIES OF THE UNITED NATIONS SYSTEM

United Nations High Commissioner for Refugees

22. Although in the past three months the overall situation in Bosnia and Herzegovina has improved, there has been little progress in implementing annex 7 to the Peace Agreement. To date, only 70,000 people out of 2 million refugees and displaced persons have returned home, virtually all of them to areas where their community is in the majority. UNHCR has provided aid to these returnees, including shelter materials.

23. There are several reasons why returns so far have been very limited. Firstly, the efforts of UNHCR to bring people back to their homes of origin have been obstructed by the parties on the ground. Secondly, the right conditions for return have not been created, particularly in relation to guarantees of security and freedom of movement for all citizens. Thirdly, Governments have not yet delivered on their pledges to begin reconstruction immediately.

24. UNHCR has, however, continued to make preparations to facilitate return. In order to streamline the repatriation process, a joint Memorandum of Understanding between the International Organization for Migration (IOM) and UNHCR was signed on 26 April 1996. To address ongoing operational aspects of return movements to and within Bosnia and Herzegovina, a Repatriation Working Group has been established, consisting of Government and Federation representatives and international organizations. The Ministry for Refugees of the Republika Srpska has also been invited. In asylum countries, contact groups are being established where feasible.

25. As requested in annex 7 to the Dayton Agreement, UNHCR, in consultation with the parties and the countries of asylum, has developed an operational plan for return. This plan consists of three elements. Firstly, UNHCR, together with WFP and other partners, will continue to deliver food and other relief aid to those in need. At the same time, an effort will be made to begin to phase out such aid through better targeting and focusing on the vulnerable groups. Secondly, UNHCR will concentrate on achieving return to those majority areas where destruction and not security is the major obstacle. Along with the local authorities, it has already identified a number of key target areas in this category. To support return to these areas, it will deliver returnee packages, including shelter materials, and will also take the lead in mobilizing other actors, both bilateral and multilateral, who can carry out more substantial rehabilitation work in these areas.

26. Thirdly, UNHCR will continue to pursue return to minority areas. This will be its most difficult task. On the basis of the guidelines developed by UNHCR in consultation with the Office of the High Representative, IFOR and IPTF, UNHCR will continue to try to build up confidence by facilitating visits of displaced persons to their home areas as well as by supporting bus services enabling displaced persons to travel across the IEBL. In this connection, UNHCR remains concerned that, despite the undertaking in the joint statement of 13 May 1996 to promote such visits, repeated obstructions, particularly from the Serb and Croat authorities, continue to occur.

27. Despite the substantial progress made in meeting one of the three benchmarks agreed upon for the lifting of temporary protection, namely the implementation of the military provisions of the Peace Agreement, UNHCR has been dissuaded from recommending this step by the lack of effective human rights monitoring machinery on the ground, by non-compliance with the amnesty law adopted by the Republic of Bosnia and Herzegovina and by lack of progress on the adoption of amnesty laws by the Federation and the Republika Srpska.

United Nations High Commissioner for Human Rights

28. The High Commissioner for Human Rights and the Centre for Human Rights maintain an integrated field operation in Bosnia and Herzegovina. Their activities include servicing of the mandates of the Special Rapporteur of the Commission on Human Rights, Mrs. E. Rehn, and the expert on missing persons, Mr. M. Nowak, and providing full logistical and substantive support for their activities. They also provide technical expertise to the Office of the High Representative and other international organizations, coordinate and undertake ad hoc investigative missions and provide human rights training to IPTF.

29. The field operation has so far placed two human rights experts at the disposal of the High Representative. These officers participate in the Human Rights Coordination Centre and have special responsibility for providing substantive human rights expertise to implementing agencies, guiding a range of specific coordination projects and undertaking ad hoc investigations. It is intended, subject to the availability of financial resources, to further enhance the support afforded to the work of the High Representative.

World Bank

30. The World Bank's programme in support of the Government's priority reconstruction and recovery programme has progressed well over the last three months. Seven emergency projects - on emergency recovery; emergency farm reconstruction; water, sanitation and solid waste urgent works; emergency transport reconstruction; war victims rehabilitation; emergency education reconstruction; and emergency district heating - have been approved to date, committing the entire December 1995 pledge of US$ 150 million. Implementation of these projects is currently under way. Where appropriate, projects are designed to foster the integration of the two entities by supporting, for example, repair of existing water, power and transport infrastructure that cuts across the IEBL.

31. Following the admission of Bosnia and Herzegovina to the World Bank Group on 1 April 1996, the Bank was able to make a second pledge of US$ 180 million at the second Donors Conference in Brussels. The International Development Association (IDA) funds will support lending and technical assistance for the Government's reconstruction programme and economic reforms. These funds, in addition to resources from other donors, will be used to finance further projects in the areas of housing repair, electric power, landmine clearance, public works, demobilization support, micro-enterprise/local initiatives, gas rehabilitation, hospital services, transport, forestry and water management. Preparation of these projects is well advanced and some of them, including housing, public works and local initiative pilot projects, are already being implemented. In the design and implementation of the reconstruction programme, the World Bank is working in close cooperation with many United Nations agencies on a variety of projects, including micro-enterprise development, health, agriculture and employment. The United Nations agencies are also acting as members of several of the sectoral donor task forces established by the World Bank and the European Commission to act as a forum for donor exchange and coordination.

VII. OBSERVATIONS

32. The Peace Agreement negotiated at Dayton and signed in Paris has achieved its immediate aim of stopping the conflict and bloodshed in Bosnia and Herzegovina. To this end, the strength and mandate of IFOR have been and remain critical. The implementation of the complex political and civilian aspects of the Peace Agreement in order to achieve its long-term goal - the restoration of stability in Bosnia and Herzegovina and, more widely, in the former Yugoslavia - has, however, faced greater challenges.

33. Among the most difficult tasks in the peace process is to assuage the intense and widespread fear and desire for retribution resulting from a vicious conflict in which civilians were the principal targets and victims. It is in this function that the efforts of ITPF to shape a new concept of policing for the common good can make the most effective contribution. Under its present mandate, the efforts of IPTF can produce results only if the police forces in Bosnia and Herzegovina are receptive to the advice and training offered. If, instead of attempting to provide citizens of minority groups with some sense of

security, police forces continue to discriminate against, harass and intimidate citizens who are not of their own ethnicity, the efforts of IPTF will have little chance of success. The restructuring of the police, undertaken under the guidance of IPTF, provides the opportunity to these police forces to develop a new democratic approach to their duties.

34. The Security Council, in numerous resolutions on the conflict in Bosnia and Herzegovina, has affirmed a commitment to preserve the territorial integrity of that country. The overarching goal of the Peace Agreement is to restore peace, security and stability to Bosnia and Herzegovina as an integrated and internationally recognized State, albeit with considerable decentralization of governmental authority and with a certain degree of autonomy granted to its two constituent entities. The crucial question is whether the signatories to the Agreement remain committed to their undertakings, or whether one or more continue to pursue the aim of separation.

35. It appears that the Republika Srpska remains active in its efforts aimed at separation, as publicly declared by its present leadership and reflected by events on the ground, especially along the Inter-Entity Boundary Line. This intention is made quite clear by the resettling of large numbers of former Serb residents of Sarajevo in the Brčko area, in an attempt to alter the demographic situation on the ground in advance of the arbitration.

36. Within the Federation, the declared objective is unity in a cantonal structure which has yet to be consolidated. However, the actions of the Bosnian Croat leadership in the areas under their control demonstrate that their intention is the opposite, namely, to assert a far-reaching autonomy. The de facto partition of Mostar, which still prevails on the eve of the local elections under the auspices of the European Union, is not an encouraging sign, and the outcome of these elections may well be a signal of future trends. Some elements of the Bosniac leadership also seem similarly inclined to favour separatist trends.

37. Fear and the obstruction of freedom of movement by authorities at various levels, including the police, have deterred refugees and displaced persons from returning to their former homes. Under present conditions, refugees and displaced persons can search for security only in areas where their "ethnicity" is in the majority, thus further cementing ethnic and political separation along the Inter-Entity Boundary Line and also within the Federation. I feel it my duty to draw the attention of the Security Council to the dangers to which these trends give rise.

Annex

UNITED NATIONS INTERNATIONAL POLICE TASK FORCE

CONTRIBUTING COUNTRIES

DEPLOYMENT BY NATIONALITY

Country	Offer	5 March 1996	31 March 1996	30 April 1996	20 June 1996
Argentina	40	0	0	14	40
Austria	17	0	17	17	17
Bangladesh	50	26	26	27	36
Bulgaria	50	0	0	20	20
Canada	5	0	0	0	0
Denmark	38	34	37	35	36
Egypt	25	0	0	0	25
Estonia	10	0	0	9	9
Finland	11	7	11	6	11
France	100	88	96	100	100
Germany	152	2	2	85	85
Ghana	100	0	81	92	90
Greece	10	5	7	7	9
Hungary	35	0	31	31	31
India	100	0	11	78	77
Indonesia	40	19	28	29	28
Ireland	31	29	31	22	31
Jordan	98	49	77	77	98
Malaysia	50	9	43	43	43
Nepal	200	0	25	141	141
Netherlands	50	0	50	50	50
Nigeria	16	0	0	0	0
Pakistan	250	0	49	51	134
Poland	26	24	26	22	26
Portugal	50	16	15	22	41
Russian Federation	40	11	36	36	35
Senegal	60	4	5	43	53

Country	Offer	5 March 1996	31 March 1996	30 April 1996	20 June 1996
Spain	48	22	31	48	47
Sweden	40	22	29	40	39
Switzerland	5	5	5	5	5
Tunisia	12	7	7	7	7
Turkey	46	0	0	26	26
Ukraine	30	2	8	9	16
United States	150	1	34	100	156
TOTAL	1 985	392	828	1 302	1 562

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VOJVODINA
Bosanska Gradiška
Cazin
PRIJEDOR
Modriča
Orašje
BIHAĆ
BANJA LUKA
Prnjavor
Brčko
DOBOJ
BIJELJINA
Kator Varoš
Teslić
TUZLA
Zavidovići
Mrkonjić-Grad
Drvar
Jajce
Zvornik
SERBIA
BOSNIA AND HERZEGOVINA
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Zenica
VAREŠ
Vlasenica
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Gornji Vakuf
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MONTENEGRO
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Podgorica
Prevlaka
Peninsula
Boka Kotorska
ALBANIA
Lake
Scutari
UNIPTF and Civil Affairs Deployment
in Bosnia and Herzegovina
as of June 1996
UNIPTF HQ
Regional HQ
District HQ
Station
Civil Affairs
IFOR divisional boundary
Dayton Agreement line
International boundary
The boundaries and names shown and the designations used on this map do not imply endorsement or acceptance by the United Nations.
0 20 40 km
0 10 20 30 40 mi
16°
17°
18°
19°
45°
44°
43°
42°
Map no. 3946 UNITED NATIONS
June 1996
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Cartographic Section